



CRL OP(MD) No.4277 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty First day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4277 of 2024

R SURESH

... PETITIONER/1st ACCUSED

Vs

THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D,
TRICHY.
CRIME NO.53 OF 2024.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.T.LENINKUMAR Advocate

For Respondent : MRS.MANIKANDAN, Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.53 OF 2024 ON THE FILE OF
THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for
the alleged offence under clause 6(4) of Tamil Nadu Scheduled Commodities (RDCS)

Order, 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Cr.No.53

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD) No.4277 of 2024

of 2024, seeks anticipatory bail.

WEB COPY

2. The case of the prosecution is that on 11.03.2024, a Lorry bearing Registration No.TN 46 E 3804 was found to be loaded with 95 bags of rice (each containing 35 kgs).

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. However, on instruction, he would further submit that the petitioner, without prejudice to his rights, is ready to pay a sum of Rs.30,000/- through Demand Draft to the District Collector, Trichy District and hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police strongly opposed to grant anticipatory bail stating that seven previous cases were pending against the petitioner, out of which, five cases are disposed of.

5.Considering the facts and circumstances of the case and also considering the quantity of the PDS rice transported by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CRL OP(MD) No.4277 of 2024

WEB COPY

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) as per the undertaking given by the petitioner, the petitioner shall make a non-refundable deposit of Rs.30,000/- (Rupees Thirty Thousand only) through Demand Draft to the District Collector, Trichy District, and the proof shall be filed before the trial Court. The concerned Magistrate, after perusing the proof, shall accept the sureties furnished by the petitioner. The District Collector, Trichy District, shall utilize the said amount for the welfare of the people;

(c) the sureties shall affix their photographs and left thumb



CRL OP(MD) No.4277 of 2024

WEB COPY

impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(d)the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter, as and when required for interrogation;

(e)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioner shall not abscond either during investigation or trial;

(g)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



CRL OP(MD) No.4277 of 2024

WEB COPY

(h)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
21/03/2024

/ TRUE COPY /

/03/2024

Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ssb

TO

1.THE JUDICIAL MAGISTRATE NO.VI, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3.THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D, TRICHY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO
THE DISTRICT COLLECTOR, TRICHY DISTRICT,

+1 CC TO M/S.T.LENIN KUMAR, ADVOCATE (SR-3565[I] DATED 22/03/2024)

ORDER
IN

CRL OP(MD) No.4277 of 2024
Date :21/03/2024

RK/JGB (28/03/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023

<https://www.mhc.tn.gov.in/judis>